

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHELLE E. COOPER,)	
)	
Plaintiff,)	
)	Cause No: 4:15-cv-00012-RLW
vs.)	
)	
METROPOLITAN LIFE INSURANCE)	
COMPANY and METLIFE, INC.,)	
)	
Defendants.)	

PLAINTIFF’S REPORT ON DISPUTE AS TO MOTION FOR LIMITED DISCOVERY

COMES NOW Plaintiff Michelle E. Cooper, by and through undersigned counsel, and for her Report on Dispute as to Motion for Limited Discovery states as follows:

1. Plaintiff filed her Motion for Discovery on April 20, 2015 (Doc. #27), requesting certain documents in paragraph 6, a – dd.
2. Plaintiff agreed to limit her request to the following items, 6 – a, b, d, h, i, j, m, n, p, x, y, cc, dd, and limited the “Consultants” to Dr. Elena Schiopu and the ANPC and conveyed this to Defendant’s counsel on September 4, 2015.
3. The Amended Items requested in Doc. #27, paragraph 6 are as follows:
 - a. Training and procedures used in determining Plaintiff’s claim, including the criteria used in making decisions, not already produced.
 - b. The handling of long-term disability claims involving any/or all diagnoses documented in Plaintiff’s medical records reviewed by Defendants in their disability determination for any other employee within the last five (5) years.
 - d. Any relationship between Defendants, third parties and any person or entity employed or consulted (hereinafter referred to as “Consultants”) or to review of

Plaintiff's records and medical information and similar claims reviews for the last

- h. All documents that show the amounts paid to Consultants by Defendants within the past five (5) years.
- i. Number of times Defendants have requested Consultants review a disability claimant's file, records, and/or claim within the past five (5) years.
- j. Any documents provided to Consultants by Defendants that generally guide the process of reviewing records and/or claims of disability.
- m. Efforts of Defendants and/or Defendants' agents to contact any treating health care provider of Plaintiff, whether written or recorded in any form.
- n. All statements, whether written or recorded in any form, of Plaintiff made in connection with the disability claim at issue in this case.
- p. Job duties that Defendants used in their determination of Plaintiff's disability claim.
- x. Relationship between the Defendant, its agents and/or employees, and Consultants.
- y. Policies, procedures, rules and/or guidelines that govern how Defendant evaluates and weighs conflicting opinions of physicians and/or other health care providers when evaluating a disability claim employed by Defendants in the past five (5) years.
- cc. Communications between Defendant and/or Defendant's agents and Consultants and/or Consultant's agents in connection with Plaintiff.

dd. Ethical standards and/or rules of conduct imposed upon Defendant's agents and/or employees in the review of a disability claim applicable within the past five (5) years.

4. Defendants have agreed to produce the following:

The number of referrals to the Medical Consultants Network for the Cooper claim period of 11/2011 to 6/2013.

The amount paid to Dr. Schiopu for Cooper's claim review.

The number of claims referred to Dr. Schiopu for Cooper's claim period.

5. Plaintiff withdraws her requests in 6 – i, p, x, and cc.

6. However, Plaintiff is unable to respond to any dispositive motions without the documents requested in 6 – d, h, j, m, y, and dd.

7. As an alternative to items 6(d), and 6(h), Plaintiff would request documents indicating all payments or the percentage of payments made to all Rheumatologists in Missouri compared to the percentage of payments made to Dr. Schiopu for the past Five years.

8. Plaintiff's requests in items 6(j) and 6(m) are subject to any responsive documents already produced.

WHEREFORE, Plaintiff prays this Court instruct the parties regarding Plaintiff's requested discovery as limited in paragraphs 6 and 7 above, for a date certain in which Defendant shall produce the records, and for an extension of 30 days after receiving discovery to respond to Defendant's Motion for Summary Judgment.

RYNEARSON SUESS SCHNURBUSCH
CHAMPION, LLC.

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CERTIFICATE OF MAILING

The undersigned certifies that a true copy of the foregoing was sent via the Court's electronic filing system on this 11th day of September, 2015 to:

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